

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JERRY GEZA TOTH, individually and on behalf of
T.T.,

Plaintiff

-against-

NEW YORK CITY DEPARTMENT OF EDUCATION

Defendant.

25-cv-3317-NRM-TAM

**DECLARATION OF
HANNA GIUNTINI IN
SUPPORT OF
DEFENDANT'S
OPPOSITION TO
PLAINTIFF'S MOTION
FOR "SETTLEMENT OF
PENDENCY ORDER
IMPLEMENTATION"**

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Hanna Giuntini, an attorney duly admitted to practice law in the State of New York, declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following statements are true and correct:

1. I am an Attorney with the New York City Department of Education's ("DOE") Special Education Unit. I am familiar with the facts and circumstances set forth in this declaration based upon my personal knowledge and upon information and belief. The source of such information and the basis for such belief is my familiarity with DOE procedures and practice, correspondence with fellow DOE employees, my review of documents in the possession and custody of the DOE (such as those documents filed with the DOE's Impartial Hearing Office and those documents filed in connection with the administrative proceedings pending before Impartial Hearing Officers), as well as my experience handling special education matters, including pendency matters, for the DOE.

2. This Declaration is submitted in support of Defendants' Opposition to Plaintiff's

Motion “for Settlement of Pendency Order Implementation.”

3. On June 30, 2025, Plaintiff filed an administrative Due Process Complaint contesting the Plaintiff-Student’s Individual Education Plan for the 2025-2026 extended school year.

4. On July 15, 2025, the DOE submitted a Pendency Implementation Form, ECF 10-1, to the Impartial Hearing Office, agreeing to pendency at Gersh for the 12-month school year, speech language therapy once per week for 30 minutes, and 20 hours per week of 1:1 home-based ABA therapy.

5. On July 17, 2025, Plaintiff filed a Motion “for Settlement of Pendency Order Implementation,” ECF 10, requesting the Court to so-order the exact pendency placement to which DOE had already agreed.

6. The Pendency Implementation Form, ECF 10-1, will be implemented by the DOE’s Impartial Hearing Implementation Unit upon receipt of the proper documentation and in the normal course of business.

Dated: July 25, 2025
Brooklyn, New York

Hanna Giuntini

Hanna Giuntini, Esq.
Agency Attorney
Special Education Unit
Office of the General Counsel
NYC Department of Education